



**NOAA
FISHERIES**

Greater Atlantic
Regional Fisheries
Office

Comments are due by March 1, 2021.

For information on **public hearings** on the DEIS and proposed rule, as well as copies of the documents and background information, visit our website: fisheries.noaa.gov/ALWTRP.

Attendance at a public hearing is not necessary for commenting.

Comments may also be submitted in writing **through the online comment portal**.

To comment, go to: [regulations.gov](https://www.regulations.gov). Search for NOAA-NMFS-2020-0031.

Choose "Comment Now" to submit your comments.

Questions?

Contact Colleen.
Coogan@noaa.gov,
Marisa.Trego@noaa.gov or call (978) 281-9181.

Proposed "Risk Reduction Rule" to Modify the Atlantic Large Whale Take Reduction Plan

SUMMARY FOR PUBLIC COMMENTS

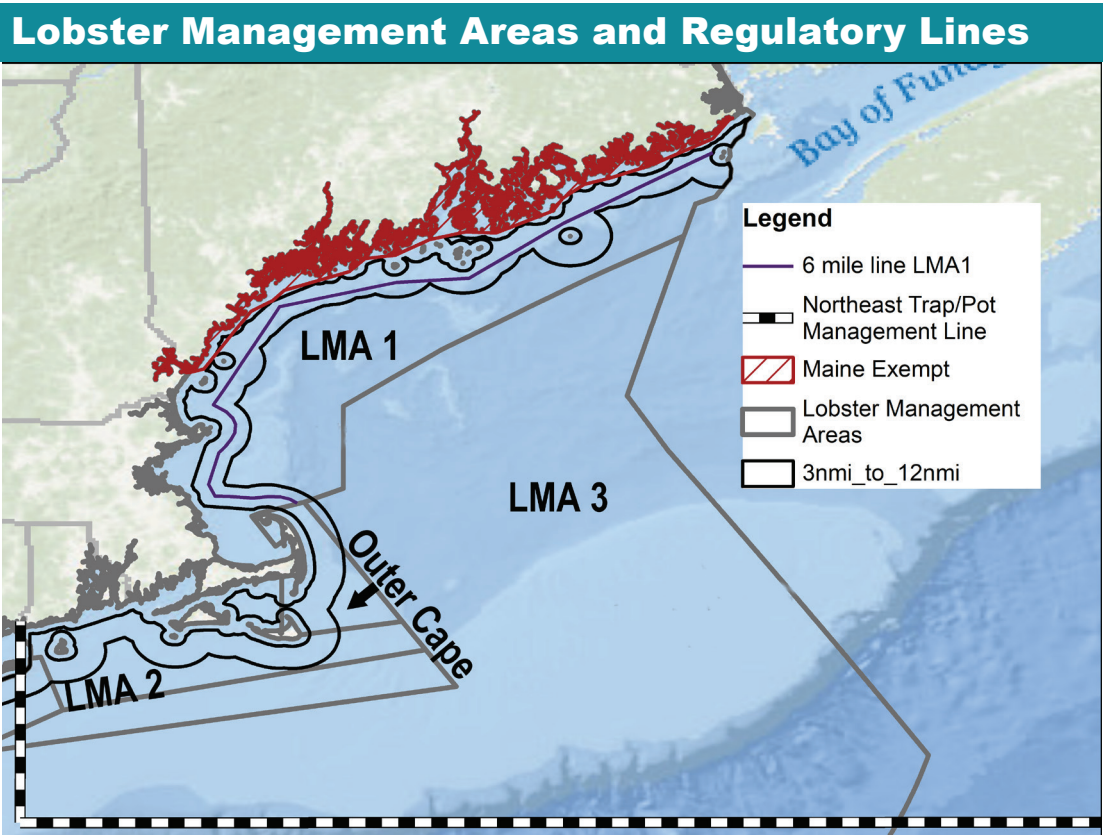
To reduce the impacts of entanglement in commercial fishing gear on right whales, we are requesting comments on proposed changes to the Atlantic Large Whale Take Reduction Plan (ALWTRP). These modifications are intended to achieve at least a 60 percent reduction in mortalities or serious injuries of right whales in the Northeast crab and lobster trap/pot fisheries, which deploy about 93 percent of the buoy lines fished in areas where right whales occur. In 2021, the Atlantic Large Whale Take Reduction Team will be asked to recommend risk reduction measures for other Atlantic trap/pot and gillnet fisheries.

The proposed rule and the Draft Environmental Impact Statement, as well as details on how to provide comments, can be found on the Plan website: fisheries.noaa.gov/ALWTRP.

The Proposed Rule would:

- Modify gear marking to introduce state-specific marking colors
- Increase the number of and area of marked lines
- Modify gear configurations to reduce the number of vertical buoy lines by requiring more traps between buoy lines and by introducing weak insertions or weak rope into buoy lines
- Modify existing seasonal restricted areas to restrict buoy lines (but allow ropeless fishing)
- Add up to two new seasonal buoy line closures

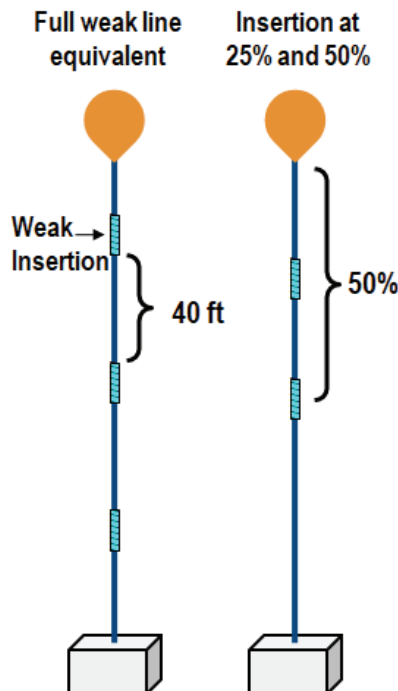
The tables on the following pages list the regulatory elements of the risk reduction alternatives in the proposed rule and considered in the preferred alternative within the Draft Environmental Impact Statement. Measures shaded in blue are those that will be managed under other state or fishery management rulemaking.



Traps Per Trawl

Area	Current	Proposed
ME exempt area–3 nm	2 traps/trawl	3 traps/trawl
ME 3–6 nm*	3 traps/trawl	8 traps/trawl
LMA 1, 6*–12 nm	10 traps/trawl	15 traps/trawl
LMA1, beyond 12 nm	15-20 traps/trawl	25 traps/trawl
LMA 2, OCC 3–12 nm	10 traps/trawl	15 traps/trawl
LMA 2 beyond 12 nm	20 traps/trawl	25 traps/trawl
MA state waters	1 or 2 traps/trawl	No singles on vessels longer than 29' (8.84 m); permits after 1/1/2020
LMA3	20 traps/trawl	Year-round: 45 traps/trawl, extend trawl length to 1.75 nm

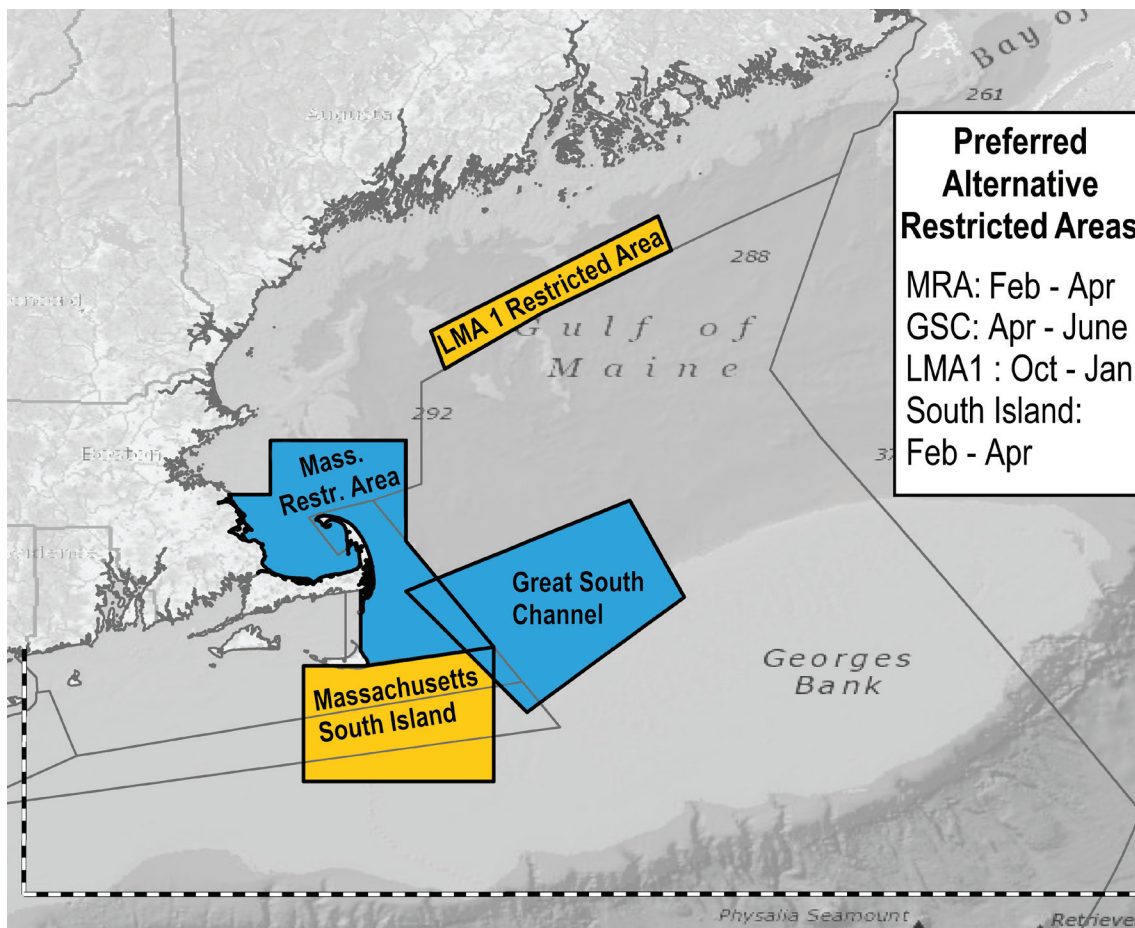
Weak Link and Weak Line Regulations



Component	Area	Current	Proposed
Weak Link Modification	Northeast Region	Weak link required attaching buoy to buoy line	Allow it to be at base of the surface system or, as currently required, at buoy
Weak Line	ME exempt area	None	1 weak insertion 50% down the line
	NH/MA/RI Coast–3 nm	None	1 weak insertion 50% down the line
	ME exempt area–3 nm, All areas 3–12 nm	None	2 weak insertions at 25% and 50% down line
	LMA 1, 2, OCC beyond 12 nm	None	1 weak insertion 35% down the line
	LMA 3	None	1 buoy line weak year-round to 75%

Blue shading indicates state regulations, including Maine gear marking, Massachusetts Restricted Area closure extension into May, and Massachusetts banning of single pots on vessels greater than 29 feet after permit transfers.

Restricted Areas



Area	Current	Proposed
All Restricted Areas	Closed to Fishing	Allow trap/pot fishing without buoy lines in existing and proposed restricted areas with an exempted fishing permit (EFP). EFP authorizations would likely include conditions to protect right whales (e.g. area restrictions, low vessel speed, observer monitoring, and reporting requirements.)
LMA1 Restricted Area	None	Restricted Oct-Jan Or 1-A No restriction Or 1-B Restricted Oct-Jan based on future determinations
Massachusetts South Island Restricted Area	None	Restricted Feb-April
Massachusetts Restricted Area (MRA)	Closed Feb-Apr	Restricted Feb-Apr
	State waters closed through May until < than 3 whales remain (confirmed by surveys)	State waters closed through May until less than 3 whales remain (confirmed by surveys)
Great South Channel Restricted Area	Closed Apr-June	Restricted Apr-June

Gear Marking

Federal Water Marks



Gear Marking in Federal Waters

Area	Current	Proposed
Marks		
Entire Northeast Region	Three 12-inch marks, one at the top, middle, and bottom in the color below No federal specific mark	One 3-foot long state-specific mark within two fathoms of the buoy (within the surface system) and three 12-inch marks at the top, middle and bottom of the buoy line (color below) 6-inch green mark within the surface system within 12 inches of the 3-foot mark
Colors		
Maine	Red	Purple with 6-inch green mirroring state regulations effective 09/2020
New Hampshire	Red	Yellow with 6-inch green
Massachusetts	Red	Red with 6-inch green
Rhode Island	Red	Silver/Gray with 6-inch green
LMA 3	Black	Black with 6-inch green

State Water Marks



Gear Marking in State Waters

Area	Current	Proposed
Marks		
Maine	None in TRP regs, state regulations as of 09/2020	One 3-foot long and one or two additional 1-foot marks (by depth) through state regulation
Massachusetts, Rhode Island, & New Hampshire	Three 12-inch marks, one at the top, middle, and bottom in the color below	One 3-foot long state-specific mark within two fathoms of the buoy (within the surface system) and two 12-inch marks in the top and bottom half of the buoy line in (color below)
Colors		
Maine	Purple (as of 09/2020)	Purple
New Hampshire	Red	Yellow
Massachusetts	Red & White (LMA1) Red & Black (LMA2) Red & Yellow (Outer Cape)	Red
Rhode Island	Red & Blue	Silver/Gray